

## भाग-IV

## HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

*Correction Slip*

The 24th January, 2024

No. 192 Rules/II.D.4.— Dated 19th January, 2024

Rules 1 to 16 as contained in Chapter 5 Part C of the Punjab and Haryana High Court Rules and Orders, Volume- V titled as-“THE DESTRUCTION OF RECORDS” with the previous approval of the State Government(s) of Punjab, Haryana and U.T. Chandigarh in terms of Section 3 of ‘The Destruction of Records Act, 1917’, are amended/substituted in the following manner :-

**“Part-I General**

(a) The words ‘rules next following,’ occurring in Rule 1 after the words ‘direction contained in’ and before the word ‘Provided’ are substituted with the words ‘these rules.’ Further the words ‘Registrar Judicial’ occurring in the said rule after the words ‘Provided that the’ and before the words ‘may order for’ are substituted with the words ‘Registrar (Judicial)’.

(b) The words ‘Registrar Judicial’ occurring in the Rule 2 after the words ‘superintendence of the’ and before the words ‘shall be supervised’ are substituted with the words ‘Registrar (Judicial)’.

(c) The words ‘a period of 6 years by shredding’ occurring in Rule 3 (i) are substituted with the words ‘the period specified in Rules 10 to 12 of these Rules, by shredding or in such other manner as may be decided by the Chief Justice from time to time’. Further the words ‘subject to Rule 9 to 11 of these Rules’ occurring at the end of Rule 3 (i) are omitted.

(d) The word ‘(Judicial)’ is inserted in Rule 3 (ii) after the words ‘orders of the Registrar’ and before the words ‘and the proceeds of the sale’.

**“Part-II Judicial Records****4. Division into Parts ‘A’ and ‘B’.**

Every judicial record shall, for the purposes of these rules, consist of two parts, namely (1) Part A and (2) Part B. Every document admitted to such records shall be marked with the letter ‘A’ or the letter ‘B’ according as it belongs to Part A or Part B, and shall be placed with such file and shall without delay be entered in the general index pre-fixed to each such record.

**5. Part A of Civil Judicial Record.**

Part A of a Civil Judicial Record other than writs (civil and criminal) shall consist of the following documents, namely:-

**(a) In Original Suits**

- (1) The tablaq or cover containing particulars of the case and a brief abstract of the orders in English.
- (2) The index of papers.
- (3) All orders.
- (4) The plaint, together with any schedule annexed thereto, and all documents, whether original or copies, filed with the plaint.

Note: In miscellaneous cases, the petition or written application of the party setting the Court in motion will take the place of the plaint.

- (5) The written statements and pleadings of the parties.
- (6) Applications of persons who are strangers to the suit.
- (7) All depositions of witnesses.
- (8) All documents or certified copies thereof received as evidence during the trial.

- (9) Commissions, proceedings held thereunder and reports and examination of Commissioners.
- (10) Affidavits.
- (11) Reports furnished by the Record Department.
- (12) Instruments of withdrawal, compromise/settlement or admission of party/ies.
- (13) All documents relating to orders of arrest or attachment before judgment.
- (14) The judgment, translation thereof (if any), or other final order.
- (15) The decree and all documents relating to the preparation or amendment thereof.
- (16) Summons, with report of service, in ex-parte cases.
- (17) Application for the re-admission of a suit dismissed in default or for the re-hearing of a suit decreed ex-parte, all proceedings and documents relating thereto.
- (18) Applications for review of judgment, all proceedings and documents relating thereto.
- (19) All receipts and acknowledgments filed in execution proceedings.
- (20) Applications for substitution, addition or striking out of names of parties or for substitution of the names of the heirs of a deceased party, if allowed.
- (21) All Vakalatnamas (Powers of Attorney) and Memorandums of Appearance.
- (22) Orders or directions of Supreme Court along with correspondence, if any.
- (23) All papers of historical, sociological and scientific value or of any other category, as in the opinion of the Court or the Chief Justice should be preserved.

**(b) In Civil Appeals and Miscellaneous Cases (including Reference and Revision Proceedings).**

- (1) The tablaq or cover containing particulars of the case and brief abstract of the orders in English.
- (2) The index.
- (3) The memorandum of appeal/revision/main/miscellaneous application(s)/letter or order of reference.
- (4) The notice, with report of service, in ex-parte cases.
- (5) Memorandum of objections under Order XLI, Rule 22 or Rule 26 of the Civil Procedure Code.
- (6) The finding on issues referred to the lower court for trial under Order XLI, Rule 25 of the Civil Procedure Code.
- (7) Security bond for costs or for obtaining order of stay of execution of decree.
- (8) Applications for substitution, addition or striking out of names of parties or for substitution of the names of the heirs of a deceased party, if allowed.
- (9) Depositions of parties or witnesses recorded in this Court or on the direction of this Court or by the lower Court on remand.
- (10) Commissions, proceedings held thereunder and reports and examinations of Commissioners.
- (11) Documents filed by the parties.
- (12) Affidavits, except those presented with applications which are rejected.
- (13) Instruments of withdrawal, compromise/settlement or admission of party/ies.
- (14) All orders.
- (15) The Court's judgment, translation thereof (if any), or final order.
- (16) The decree and all documents relating to the preparation or amendment thereof.
- (17) Application for the re-admission of an appeal, application or petition dismissed in default, or for the re-hearing of an appeal, application or petition heard ex-parte, all proceedings and documents relating thereto.
- (18) Application for review of judgment, all proceedings and documents relating thereto.

- (19) An application for stay or injunction in Regular Second Appeal.
- (20) All Vakalatnamas (Powers of Attorney) and Memorandums of Appearance.
- (21) Copies of judgments/orders of the Courts below.
- (22) Orders or directions of Supreme Court along with correspondence, if any.
- (23) All papers of historical, sociological and scientific value or any other category, as in the opinion of the Court or the Chief Justice should be preserved.

#### **6. Part A of Writs (Civil and Criminal)**

Part A of Writs (Civil and Criminal) shall consist of the following documents, namely:-

- (1) The tablaq or cover containing particulars of the case and brief abstract of orders in English.
- (2) The index.
- (3) The petition together with any Schedule annexed thereto.
- (4) The reply or the written statement and pleadings of the parties.
- (5) Documents filed by the parties and police reports.
- (6) Affidavits except those presented with applications which are rejected.
- (7) Depositions of the witnesses recorded in this Court or on the direction of this Court.
- (8) Commissions, proceedings held thereunder and reports and examinations of Commissioners.
- (9) All orders.
- (10) Instruments of withdrawal, compromise/settlement or admission/confession of party/ies.
- (11) Court's judgment or final order.
- (12) Application for review of judgment, all proceedings and documents relating thereto.
- (13) Notice, with report of service, in ex-parte cases.
- (14) Application for re-admission of petition dismissed in default or for the re-hearing of the petition decided ex-parte, all proceedings and documents relating thereto.
- (15) Applications for substitution, addition or striking out of names of parties or for substitution of the names of the heirs of a deceased party.
- (16) All Vakalatnamas (Powers of Attorney) and Memorandums of Appearance.
- (17) Orders or directions of Supreme Court along with correspondence, if any.
- (18) All papers of historical, sociological and scientific value or any other category, as in the opinion of the Court or the Chief Justice should be preserved.

#### **7. Part B of Civil Judicial Record and of Writs (Civil and Criminal).**

Subject to any direction by the Court to the contrary, Part B of a civil judicial record and of Writs (Civil and Criminal) shall consist of all documents in such records as are not indicated in Rules 5 & 6 as belonging to Part A.

#### **8. Part A of Criminal Judicial Record.**

Part A of Criminal Judicial Record shall consist of the following documents, namely:-

- (a) In an original trial-All Papers.
- (b) In an appeal, reference, revision and miscellaneous cases-
- (1) The tablaq or envelope containing particulars of the case and a brief abstract of the orders in English.
- (2) The index.
- (3) The petition of appeal or revision or letter/order of reference.
- (4) Any additional evidence taken under the orders of the High Court on remand.
- (5) Translation of police reports.
- (6) All orders.
- (7) Judgment and final order of the Court, and translation of the same, if any.

- (8) Copies of judgments/orders of the Courts below.
- (9) Application to treat an accused as juvenile, all proceedings and documents relating thereto.
- (10) Instruments of withdrawal or compromise/settlement, admission/confession of party/ies.
- (11) Original documents filed by the parties.
- (12) All Vakalatnamas (Powers of Attorney) and Memorandums of Appearance.
- (13) Orders or directions of Supreme Court along with correspondence, if any.
- (14) All papers, in case of historical, sociological and scientific value, or of any other category as in the opinion of the Court or the Chief Justice, should be preserved.

#### **9. Part B of Criminal Judicial Record.**

Subject to any direction by the Court to the contrary, Part B of a Criminal Judicial Record shall consist of all documents in such records as are not indicated in the preceding rule as belonging to Part A.

#### **10. Documents to be preserved permanently.**

The following documents belonging to Part A of a judicial record shall be preserved in physical form permanently, namely:-

##### **In Civil Cases and Writs (Civil and Criminal)**

- (1) Index
- (2) All orders.
- (3) Judgment or final order and decree of the Court.
- (4) Compromise/Settlement Deed, admission/confession by party/ies or an application for withdrawal of the case.
- (5) Unreturned original documents (including vernacular) filed by any party.
- (6) Depositions of witnesses recorded in this Court or on direction of this Court.
- (7) All Vakalatnamas (Powers of Attorney).
- (8) Certified copy of order granting special leave to appeal to the Supreme Court.
- (9) Orders or directions of Supreme Court along with correspondence, if any.
- (10) All papers of historical, sociological and scientific value or any other category, as in the opinion of the Court or the Chief Justice should be preserved.

##### **In Criminal Cases**

##### **a. In an original Trial- all papers.**

##### **b. In other cases**

- (1) Index.
- (2) All orders.
- (3) Judgment or final order of the Court.
- (4) Compromise/Settlement Deed, admission/confession by party/ies or an application for withdrawal.
- (5) Unreturned original documents (including vernacular) filed by any party or police reports.
- (6) Warrant of commitment or execution when returned.
- (7) Depositions of witnesses recorded in this Court or on direction of this Court.
- (8) All Vakalatnamas (Powers of Attorney).
- (9) Orders or directions of Supreme Court along with correspondence, if any.
- (10) All papers of historical, sociological and scientific value or any other category, as in the opinion of the Court or the Chief Justice should be preserved.

#### **11. Permanent preservation of Part A in Digital/Electronic Form.**

Subject to the provisions of the preceding rule, entire Part A of all civil and criminal cases including writ petitions shall be preserved permanently as



per Standard Operating Procedure (SOP) approved by the Chief Justice or an authority nominated for this purpose, in digital/electronic form on Electronic Storage Media with mechanism of retrieval as and when required and the provisions of the Information Technology Act, 2000 shall apply to such record preserved electronically/digitally. The record so preserved shall be treated to be the original record for all purposes.

## 12. Preservation of Judicial Record.

(i) Subject to the provisions of Rule 10, record of all cases shall be preserved for six years except in the following categories of cases, wherein the record shall be preserved for the period specified against each entry:-

ABBREVIATED FORM	NATURE OF PROCEEDING	PERIOD FOR PRESERVATION OF PART A		PERIOD FOR PRESERVATION OF PART B
		CONTESTED CASE	UNCONTESTED CASE (DECIDED AT INITIAL STAGE/IN LIMINE/ WITHDRAWN ETC.)	
ARB				
	Petition under Section 9 of Arbitration and Conciliation Act, 1996	06 months	03 months	03 months
	Petition under Section 11 of Arbitration and Conciliation Act, 1996	06 months	03 months	03 months
CACP	Contempt Appeals	03 months	01 month	01 month
CAPP	Company Appeal	03 months	01 month	01 month
CMM	Hindu Marriage Act Cases U/S 24	06 months	01 month	01 month
COCP	Civil Original Contempt Petition	03 months	01 month	01 month
CP	Company Petitions	01 year	01 month	01 month
CR	Civil Revision			
	Against Interim Orders	06 months	01 month	01 month
	Rent Petition/Appeals under Rent Restriction Act	01 year	06 months	06 months
	Against Order passed under Order 39 Rule 1 & 2 CPC	03 months	01 month	01 month
	MACT	06 months	01 month	01 month
	Under Section 6 of Specific Relief Act	06 months	01 month	01 month
	Under Miscellaneous Acts like Guardian Wards Act, ESI Act Etc.	06 months	06 months	06 months
	Under Rent Act	06 months	03 months	03 months
	Under HMA	06 months	03 months	03 months
	Family/Matrimonial Matter	06 months	03 months	03 months
	Succession	06 months	03 months	03 months
CRA-AD	Criminal Appeal against acquittal Division Bench	01 year	06 months	06 months
CRA-AS	Criminal Appeal against acquittal-Single Bench	01 year	06 months	06 months
CRA-D	Criminal Appeal-Division Bench	04 years	02 years	02 years
CRA-S	Criminal Appeal Single Bench	04 years	02 years	02 years
CRACP	Criminal Appeal Contempt Petition	01 year	03 months	03 months
CREF	Civil Reference	06 months	03 months	03 months
CRM	Criminal Miscellaneous Petition	06 months	03 months	03 months
CRM-A	Against acquittal	06 months	03 months	03 months
CRM-M	Criminal Main			
	Quashing Petition	06 months	03 months	03 months
	Anticipatory Bail	03 months	01 month	01 month
	Regular Bail	03 months	01 month	01 month
	Cancellation of Bail	03 months	01 month	01 month
	Direction Matter	02 months	01 month	01 month
	Criminal Transfer	02 months	01 month	01 month
CROCP	Criminal Original Contempt Petition	02 months	01 month	01 month
CRR	Criminal Revision			
	Against Acquittal	06 months	03 months	03 months
	Against Conviction	06 months	03 months	03 months
	Interim Orders	03 months	03 months	03 months
	Against Conviction Order Passed under Section 138 of Negotiable Instrument Act	06 months	03 months	03 months
	Against Conviction Order Passed under Section 304 A IPC	01 year	03 months	03 months

	Against order passed under Section 167(2) Cr.P.C. Seeking Regular (Default Bail)	03 months	01 month	01 month
CRR(F)	Criminal Revision-(Family Court)	06 months	03 months	03 months
CRWP	Criminal Writ Petition			
	Habeas Corpus	06 months	06 months	06 months
	Protection matters	03 months	01 month	01 month
	Parole	03 months	01 month	01 month
	Premature Release/Remission	06 months	01 month	01 month
	Orders against AFT(Criminal)	06 months	01 month	01 month
	Court Martial	06 months	01 month	01 month
	Crime against Women	06 months	01 month	01 month
CS	Civil Suit	4 years	02 years	02 years
CS-OS	Civil Suit-Original Side	4 years	02 years	02 years
CUSAP	Custom Appeal	2 years	06 months	06 months
CWP	Civil Writ Petition-Single Bench			
	Land Matters	06 months	01 month	01 month
	Enhancement of Compensation	06 months	01 month	01 month
	Labour/Industrial	06 months	01 month	01 month
	Service Matters	06 months	01 month	01 month
	Seniority Dispute Matters	06 months	01 month	01 month
	Compassionate Matters	06 months	01 month	01 month
	Municipal and Panchayat Laws	06 months	03 months	03 months
	Education	06 months	01 month	01 month
	Co-operative Act Matters	06 months	01 month	01 month
	RTIs	06 months	01 month	01 month
	Allotment of Govt. Houses	06 months	03 months	03 months
	Arbitration Disputes	06 months	03 months	03 months
	Passport Related Matters	06 months	03 months	03 months
	License Related Matters	06 months	06 months	06 months
CWP	Civil Writ Petition-Division Bench			
	Against orders passed by Armed Forces Tribunal (Civil)	06 months	06 months	06 months
	Central Administrative Tribunal under Misc. Acts like Motor Vehicle Taxation Act (1924), Income Tax Act (1961) etc.	06 months	06 months	06 months
	Excise/Customs (Indirect)	06 months	06 months	06 months
	Property Tax	06 months	06 months	06 months
	Petitions under PMLA, FEMA, GST etc.	01 year	06 months	06 months
	Election Matters	02 years	06 months	06 months
	Land Acquisition Case	01 year	06 months	06 months
	Financial Corporations	01 year	06 months	06 months
	Land Laws	01 year	06 months	06 months
	Cases related to Intelligence Agencies like R&AW, IB, etc. except CBI	02 years	01 year	01 year
	Education Matters	06 months	03 months	03 months
	Human Rights cases	06 months	03 months	03 months
	Judicial Officers	01 year	06 months	06 months
	Tenders	06 months	06 months	06 months
	Vires	06 months	06 months	06 months
	Others	06 months	06 months	06 months
CWP-PIL	Civil Writ Petition-Public Interest Litigation	06 months	03 months	03 months
DP	Divorce Petition	06 months	03 months	03 months
EFA	Execution First Appeal	06 months	03 months	03 months
EP	Election Petitions	04 years	01 year	01 year
FAO	First Appeal Order	06 months	03 months	03 months
	In Arbitration cases	01 year	06 months	06 months
FAO(FC)	FAO (Family Court)	06 months	03 months	03 months
FAO-CARB	First Appeal From Order (Commercial Arbitration)	01 year	03 months	03 months
FAO-M	First Appeal Order-Matrimonial	01 year	03 months	03 months
GSTR	General Sales Tax Reference	06 months	01 month	01 month
INCOMP	Incomplete Objection Case	06 months	01 month	01 month
ITA	Income Tax Appeal	06 months	06 months	06 months
ITC	Income Tax Cases	06 months	06 months	06 months
LPA	Letter Patent Appeals			
	Enhancement of Compensation	06 months	03 months	03 months
	Labour/Industrial	06 months	03 months	03 months
	Service Matters	06 months	03 months	03 months
	Seniority Dispute Matters	06 months	03 months	03 months
	Compassionate Matters	03 months	01 month	01 month
	Education	03 months	01 month	01 month
MRC	Murder Reference Case	02 years	01 year	01 year
PBPT	Prohibition Of Benami	02 years	01 year	01 year
Appl	Property Transaction Appeal			
PBT	Probate	04 years	01 year	01 year
PMLA- Appl	Prevention Of Money Laundering Appeal	04 years	06 months	06 months

PVR	PB Vat Revision	06 months	03 months	03 months
RA	Review Appl	06 months	03 months	03 months
RA-CA	Review In Company Appeal	06 months	01 month	01 month
RA-CP	Review In Company Petition.	06 months	01 month	01 month
RA-CR	Review In Cr	06 months	01 month	01 month
RA-CW	Review IN CWP	03 months	01 month	01 month
RA-LP	Review IN LPA	03 months	01 month	01 month
RA-RF	Review Application IN RFA	03 months	01 month	01 month
RA-RS	Review IN RSA	03 months	01 month	01 month
RCRWP	Review IN CRCWP	03 months	01 month	01 month
RERA-APPL	RERA Appeal	03 months	01 month	01 month
RFA Regular	First Appeal			
	Land Acquisition Cases	03 months	01 month	01 month
	Trade Mark/Copy Right Cases	03 months	01 month	01 month
RSA	Regular Second Appeal			
	Service Matters	06 months	03 months	03 months
	Others	06 months	06 months	06 months
SA	Service Appeal	06 months	06 months	06 months
SAO	Second Appeal Order	06 months	06 months	06 months
STA	Sales Tax Appeal	06 months	03 months	03 months
STC	Sales Tax Cases	06 months	03 months	03 months
TA	Transfer Application	03 months	01 month	01 month
TCRM	Transfer Criminal Petition	03 months	01 month	01 month
UVA UT	Vat Appeal	06 months	03 months	03 months
UVR UT	Vat Revision	06 months	03 months	03 months
VATCASE	Value Added Tax Case	03 months	03 months	03 months
VATREF	Vat Reference	03 months	01 month	01 month
XOBJ	Cross Objection	06 months	06 months	06 months
XOBJC	Cross Objection In CR	03 months	03 months	03 months
XOBJL	Cross Objection In LPA	03 months	03 months	03 months
XOBJR	Cross Objection In RFA	03 months	03 months	03 months
XOBJS	Cross Objection IN RSA	03 months	03 months	03 months

- (ii) The destruction of Part A of any civil or criminal case including writ petitions shall not be carried out unless the same has been preserved in accordance with Rule 11.
- (iii) If an appeal has been made to the Supreme Court, the entire record shall be preserved till the final judgment or order of the Supreme Court has been communicated to this Court. Whenever first communication in any appeal made to the Supreme Court is received from there, photostat copy thereof shall be placed on the record of this Court and a note in red ink shall be made on the Index of the case. Similarly final order of the Supreme Court or photostat copy thereof shall be placed on the record of this Court and a note in red ink shall be made on the index of the case.
- (iv) When a case in this Court has been dismissed for default or heard ex-parte, the record of the case shall not be destroyed until the expiry of one year from the date of decision.

### 13. Record of Caveat.

Record of Caveat shall be preserved for four months after expiry of 90 days if no such case as mentioned in the Caveat is filed, and thereafter the same shall be destroyed.

### 14. Date of reckoning the period.

Notwithstanding anything contained in Rule 26 of these rules, the period mentioned in these rules for the preservation of judicial record shall be reckoned from the date of the final orders of the Court in the cases.

Note: If review application is filed, the period shall be reckoned from the date of final orders on the review application.

### 15. Note of destruction to be made in registers, etc.

A note of every judicial record destroyed under the provisions of these rules shall be made under the signatures and/or digital signatures in the register to be maintained in physical and/or digital form as may be determined from time to time by the Chief Justice or a Judge nominated for the purpose, and also in the general index pre-fixed to such record. The register shall be maintained in the following proforma:-

**REGISTER OF WEEDED OUT JUDICIAL RECORD**

Sr. No.	CNR/Unique Case ID No.	Nomenclature of Case	Case Number	Year	Date of Decision	Title of case	Actual Pages	Number of Pages Digitized	Number of Pages Destroyed	Number of Papers Retained	Name with signatures of the official who dealt with the weeding out of the file	Name with signatures of the official who checked the status of appeal etc.	Name with signatures of the official who checked the remaining	Name with Signatures of Supervising Officer

**16. Return of documents.**

An admitted document shall not be returned within the period specified in Order XIII, Rule 9 of the Code of Civil Procedure, until a certified copy thereof has been delivered to be substituted for the original, nor shall a document be returned which has been ordered to be impounded and not released, or which has, by force of a decree or order of the Court, become void or useless, or which is required by law to be filed and preserved, e.g., a Will under Section 294 of the Indian Succession Act, 1925."

BY ORDER OF HON'BLE THE CHIEF JUSTICE AND JUDGES.

ARUN KUMAR AGGARWAL,  
Registrar (Rules),  
for Registrar General.